

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
KNOXVILLE DIVISION**

America's Collectibles Network, Inc.,

Plaintiff,

vs.

The Genuine Gemstone Company Limited,

Defendant.

The Genuine Gemstone Company Limited,

Counterclaimant,

vs.

America's Collectibles Network, Inc.,

Counterdefendant.

Civil Action No. 3:13-cv-335

ANSWER TO COUNTERCLAIM

Plaintiff/Counterdefendant America's Collectibles Network, Inc. ("Plaintiff" or "Counterdefendant" or "America's Collectibles"), in answer to the Defendant/Counterclaimant The Genuine Gemstone Company Limited's ("Defendant" or "Counterdefendant" or "Genuine Gemstone") Counterclaim, alleges and asserts the following in response to the numbered paragraphs of the Counterclaims:

The Parties

1. Admitted.
2. Upon information and belief as to the identification of Genuine Gemstone, admitted.

Jurisdiction and Venue

- 3. Admitted.
- 4. Admitted.
- 5. Admitted.

The Controversy

- 6. Admitted.
- 7. Admitted.

COUNTERCLAIM COUNT I
Declaration of Non-Infringement

8. America's Collectibles repeats and incorporates by reference each of the foregoing paragraphs in response to the Counterclaims.

- 9. Denied.

COUNTERCLAIM COUNT II
Declaration of Invalidity

10. America's Collectibles repeats and incorporates by reference each of the foregoing paragraphs in response to the Counterclaims.

- 11. Denied.

COUNTERCLAIM COUNT III
Declaration of Lack of Patent Eligibility

12. America's Collectibles repeats and incorporates by reference each of the foregoing paragraphs in response to the Counterclaims.

- 13. Denied.

COUNTERCLAIM COUNT IV
Declaration of Lack of Standing

14. America's Collectibles repeats and incorporates by reference each of the foregoing paragraphs in response to the Counterclaims.

15. Denied.

PRAYER FOR RELIEF

WHEREFORE, America's Collectibles denies that Genuine Gemstone is entitled to any of the relief requested in the Counterclaims and respectfully requests that the Court enter judgment against Genuine Gemstone as requested in the Complaint and, specifically:

- (a) Holding that Defendant has infringed U.S. Patent No. 8,370,211 ("the '211 patent");
- (b) Preliminarily and permanently enjoining Defendant, its officers, agents, employees, representatives, and all others acting in concert therewith, from further infringement of the '211 patent;
- (c) Awarding Plaintiff damages adequate to compensate for such infringement, and in no event less than a reasonable royalty, and, if willful infringement can be shown, increasing such damages three (3) times by reason of this being an exceptional case, together with interest and costs;
- (d) Awarding Plaintiff its reasonable attorneys' fees in prosecuting this action; and
- (e) Affording such further and other relief as this Court may deem just and proper.

Respectfully submitted this 24th day of October, 2013.

[SIGNATURE PAGE TO FOLLOW]

Respectfully Submitted,
NELSON MULLINS RILEY & SCARBOROUGH, LLP

By:

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